

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40091 of 2008
PRADEEP MANDAL
Versus
STATE OF BIHAR

For the petitioner: Mr. Ambika Bhagat, Advocate.

For the State : Mr. Upendra Kumar,APP

03 22.12.2008

Heard.

Petitioner who is father-in-law of the victim/deceased has approached this court for grant of bail in a case instituted under Sections 304(B), 201/34 of the Penal Code.

As per allegation in the F.I.R. it appears that the allegation of demand and torture has been made primarily against the husband of the deceased. There is general allegation that the other inmates of the house also used to torture the victim/deceased.

Under order dated 15.10.2008 this court directed the petitioner to file affidavit stating whether husband of the deceased has been taken into custody or not. Learned counsel for the petitioner has handed over a supplementary affidavit stating therein that the husband of the deceased namely, Babloo Mandal @ Pappu Mandal has surrendered in this case on 08.12.2008. Learned counsel for the petitioner with reference to certain statements made in the case diary submits that in fact, the death had occurred in different circumstance. It is further submitted that wife of the present petitioner, namely Pramila Devi has since been released on anticipatory bail by this court.

Having regard to the fact that the petitioner is father-

in-law and that he has remained in custody since 25.04.2008 and that the main accused i.e. husband of the victim is already in custody, this court is persuaded to admit the petitioner to bail.

Let the petitioner, namely, Pradeep Mandal be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura in connection with Murliganj (Arar) P.S. Case No. 25 of 2008, subject to the condition that one of the bailors should be the own/close family member of the petitioner .

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(Kishore K. Mandal, J.)

